

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION**

Cleve C. Dubois,

Plaintiff,

v.

State of South Carolina, South Carolina  
Department of Corrections, Berkeley  
County Sheriff's Department, Berkeley  
County Detention Center *a/k/a Hill-Finklea  
Detention Center*, and Berkeley County,

Defendants.

Case No. 22-cv-03910-RMG

**ORDER AND OPINION**

This matter is before the Court on Magistrate Judge's Report and Recommendation ("R & R"). (Dkt. No. 12). The Magistrate Judge recommended that the Court grant Plaintiff's Consent Motion to Dismiss All Federal Causes of Action, Dismiss Certain Defendants, and Remand State Law Claims (Dkt. No. 11).

In the Consent Motion, Plaintiff sought to dismiss the State of South Carolina, Berkeley County, and the Detention Center as party defendants and to dismiss any federal causes of action. Plaintiff also stipulated that the only remaining defendants will be the South Carolina Department of Corrections and Berkeley County Sheriff's Department. Plaintiff also moved to remand the case to state court and stipulated that he will proceed in state court only on state law claims. Defendants consent to this relief, and counsel of record for each party signed the Consent Motion.

Based on the foregoing, the Magistrate Judge recommends granting Plaintiff's Consent Motion. The Court agrees with the Magistrate's recommendation. Accordingly, the Court adopts the R & R as the order of the Court and **GRANTS** Plaintiff's Consent Motion. Defendants State of South Carolina, Berkeley County, and the Berkeley County Detention Center A/K/A Hill-Finklea

Detention Center are **DISMISSED** from this action, all federal claims are **DISMISSED**, and the case is **REMANDED** to the Charleston County Court of Common Pleas.

s/ Richard M. Gergel  
Richard M. Gergel  
United States District Judge

December 7, 2022  
Charleston, South Carolina